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INAUGURAL ADDRESS  
OF  
GOVERNOR FRANK M. BYRNE  
TO THE  
THIRTEENTH LEGISLATIVE SESSION  
STATE OF SOUTH DAKOTA

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**Governor Frank M. Byrne**

**TO THE**

**Thirteenth Legislative Session**

**State of South Dakota**

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**1913**

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# INAUGURAL ADDRESS

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In pursuance of a constitutional provision, I address you, now, at the beginning of your legislative session, and of my official term, on the general condition of affairs in the state, and to recommend some measures I deem important and expedient.

The retiring governor's able and interesting address, and the reports of the several state officers, the various state boards and the heads of the different departments and institutions furnish much important information in regard to the conduct of the public business during the past two years, and the condition and efficiency of the state's institutions and activities. That address and these reports furnish much valuable information to guide you in the consideration of many matters coming before you for solution, and should receive your earnest and careful consideration.

We meet today under auspicious circumstances. The state is in a generally flourishing and prosperous condition; our people are patriotic, law abiding, thrifty and satisfied; the harvests of the past year in most parts of our state have been bounteous, and we have much to be thankful for.

The condition of the state finances may be said to be good; the public debt is being reduced; our per capita expenditures are low compared with other nearby states, and altogether it may be said that the financial affairs of the state have been prudently and efficiently managed.

Many important matters will come before you for consideration and discussion, matters of utmost importance to the people, and to the state, calling for the exercise of your best judgment and intelligence. It is, of course, unnecessary for me to urge you to take up your work seriously and earnestly, but I do kindly suggest that you settle down to the serious and systematic consideration of measures early in your session, and push the work along with such speed as will not interfere with thorough and



judicious consideration, but at the same time, will save congestion and confusion in the closing days. Your session is of brief duration. The time will quickly pass. Out of my own experience I have learned that nothing is more important to successful legislative accomplishment in our brief sixty day sessions, than getting down to work in the early days. The duties of a conscientious legislator are arduous and often unappreciated. It is my desire to render you such sympathetic assistance as I can, and want each of you to feel free to come to me at any time for such advice and counsel as I may be able to give. I want to work with you, in mutual co-operation, for the welfare of the state we have undertaken to serve.

In making appropriations you should use the utmost care and circumspection, and economize wherever possible, without injuring or crippling any of the state's legitimate institutions or activities. Not a single dollar should be expended, no office created or continued and no person employed except such as is necessary for good and efficient government. At the same time I would urge you to so provide for each department of the state government as to enable it to serve the people efficiently.

#### **CHARITABLE AND PENAL INSTITUTIONS**

The charitable and penal institutions of the state are generally well managed, and I believe fully up to the standard of average institutions of the kind in other states. I recently visited the Hospital for the Insane, the Deaf Mute School and the Penitentiary, and made as thorough an inspection as possible in the brief time at my disposal. I have frequently, within the past year, visited the Northern Hospital for the Insane and feel quite well acquainted with conditions there. I regret very much that circumstances were such that I could not visit and inspect the School for the Blind at Gary, the Training School at Plankinton, and the Tuberculosis Sanitarium at Custer.

The Hospital for the Insane at Yankton is a model institution of its kind, and, I believe, generally considered so, not only in South Dakota but by those acquainted with the facts in other states as well. The more recently constructed buildings are especially



worthy of commendation, each being peculiarly adapted to its particular purpose. These buildings to which I refer were built under the superintendence and direction of Doctor Mead, the Superintendent of the Institution, utilizing the work of many of the inmates, thus saving materially in cost. The buildings not only are first class as to construction and peculiar fitness for the purposes for which used, but have been built for a fraction of what they would have cost had they been built by contract under the ordinary methods. A splendid new building is now under way, which will add materially to the conveniences of the institution, and to the comfort of those who are to occupy it. I believe the unfortunate people confined in this institution are cared for as humanely and successfully as is possible; as well, perhaps, as those in any similar institution any where, and very much better than in most.

I want to call especial attention to some recommendations made by Dr. Mead in his report to the Board of Charities and Corrections. From what information I have been able to get, the farming operations at the Hospital seem to have been uniformly successful. Much more land could well be cultivated, chiefly by the labor of the inmates, and with very little additional expense. I especially call your attention to the recommendation that additional land be purchased. The land referred to lies directly south of and adjoining the Hospital grounds. It is of the best class of farming land, worth the price, and, in my judgment, should be purchased at once. Ordinary kindness to the inmates of this institution suggests that they be given sufficient work to keep them employed so far as possible, and while it is likely true that, in such employment, each will not accomplish so much as the ordinary worker under average conditions, yet, with proper direction, in the aggregate they will accomplish a great deal, and it will add interest and zest to their lives. I understand that inmates whose physical conditions are such as to admit of it, are pleased with employment. Utilizing the resident labor in this way, the additional farming operations could be made peculiarly profitable.

I also call your attention to the recommendations in regard to the Dairy Herd. I fully agree with Dr. Mead in the statement

that the Herd should be increased to such proportions as will not only supply milk, but butter as well, for the use of the entire institution.

The population of the Yankton Hospital is now between nine and ten hundred. I understand it to be the judgment of alienists and those in charge of insane that such a hospital should never reach in population more than twelve or fourteen hundred. With the increase in population in the state, unfortunately we may look forward to an added increase in this institution and, in this connection, I call your especial attention to the recommendation of Dr. Mead in regard to beginning, now, preparation of the site for another similar institution at some other point in the state. Some years ago the legislature located a second institution of this kind near the city of Watertown, I believe on land owned by the state. If an institution is to be built there it is high time that we set about preparing for it. Sites for such institutions should be made as pleasing, attractive and artistic as possible. In my opinion it would be folly, if not cruelty, to wait until pressing and imperative need for such institution arises, and then erect buildings on the barren prairie to house the unfortunate people who must there find asylum. I ask you, especially, to carefully read Dr. Mead's statement in regard to this matter, as printed in the report to the Board of Charities and Corrections, and earnestly urge upon you to provide, now, for a survey and platting of the grounds, laying out of streets and alleys and sites for the various buildings, and planting trees in appropriate places. This should be done now, so that when an added hospital for the insane is needed, which will be very soon, the state will be ready with its plans laid, and at least something done to add to the attractiveness of the location. In this case we can look ahead with reasonable certainty to the time when such an institution must be occupied, as we can estimate, with reasonable certainty, the increase of insane population. My judgment is that no great amount of money need be expended at the present time, but a general plan of the grounds, including building sites, should be prepared, landscape gardening considered, trees planted and a general, comprehensive policy for the building of an institution adopted.

The report of the so called Northern Hospital for the Insane (which, by the way, is a serious misnomer, as it is not a hospital for the insane, but a home or school for feeble minded, and the name should be changed accordingly), gives all necessary information in regard to the institution. I suggest that you give it careful attention.

I agree with the recommendation of Doctor Kutnewsky that additional land should be purchased. The time will soon be here when such additional land will be imperatively needed and it is well to secure it now, from time to time, as favorable opportunity may occur.

The Board of Charities and Corrections recommends that provision be made for a main building to cost \$150,000.00, one half of which amount should be available during the year 1913, the other half during the year 1914. I believe that all the room such a building would afford is imperatively needed. It is said, on apparently good authority, that but one-fifth of the feeble minded people of the state are cared for in the institution at the present time. From time to time admission positively must be refused to those who by all right should be in the institution. The institution at present is crowded beyond the proper limits. Provision should be made for taking care of all this class of people in the state. There are peculiar reasons for this. The ordinary sentiments of kindness and charity would suggest that those who are so illy able to care for themselves in the battle of life be given such care as an institution of this kind affords. Again, as a mere matter of prudence, and self protection, society cannot afford to neglect its duty in this regard. Provision should not only be made for taking care of such as seek admission through parents, friends or guardians, but all those coming below a defined degree of intelligence should be taken care of, by compulsory law, if necessary. Many of these people of weak and feeble mind and intelligence, and some little better than imbeciles, marry and produce children which are almost certain to be also weak minded or imbeciles, and in turn become a charge upon the state. You should not only provide means for sufficient building to take care of these people, but give some attention to laws

requiring that they be taken care of. In this connection, I call your attention to the fact that the per capita expense of a number of small buildings, to house a given number, is much greater than the per capita expense of a larger building of proper size to house the same number. This is very important from the standpoint of economy in providing public buildings, and in this particular case it is my opinion that the consideration of economy alone would dictate that the recommendation of the Board be followed and a large main building be erected as suggested. If you examine into this carefully you will find that much money can be saved by doing this rather than providing a small building now and others from time to time.

This institution is well managed and doing splendid work. Such of the inmates as are of sufficient intelligence, and this includes practically all who are above the grade of idiots, receive regular school instruction, and I have frequently been surprised to see what can be done with this class of children in this regard. Children and others, who, outside of the Hospital, would be considered little if any better than idiots, are taken in here, and in the training and routine of the school, are brought to appear to be almost normal, and life apparently comes to have some value to them. It is probably true that for this class of people there is little, if any, hope of permanent cure, but here they live and learn and engage in useful labor, and measurably, at least, enjoy life. It is the especial duty of the state to foster an institution of this kind. I recommend that by legislative enactment the name of the institution be changed from "Northern Hospital for the Insane" to "Home for Feeble Minded" or "School for Feeble Minded."

The Deaf Mute School at Sioux Falls has been much crowded for want of room. In the girls' dormitory I was surprised to find as many as thirteen beds in one room, which, it is needless to say, is altogether too crowded a condition for comfort, convenience or the best results. An addition to the main building is now nearing completion, which more than doubles its capacity and will furnish relief for the present. I was much pleased with the educational work of this school, as I saw it. The work of the deaf students here is fully up to the average for children in similar



grades in ordinary schools. The time is at hand when land for a small farm should be provided for this school for the purpose of furnishing employment to the boys. They would be much better because of opportunity for such work as they would do, and at least a proportion of them would receive permanent benefits from learning some of the branches of farm operations. Such a farm, too, could be made a source of profit to the state.

I have never visited the School for the Blind, and know nothing of it except such information as I get from reports. I understand and believe it is doing especially good work for the blind students being educated there. It should be fostered and encouraged liberally.

I regret very much that I have not been able to visit the Training School at Plankinton. I have not been able to learn that much in the way of manual training or vocational education is attempted there. If this is true, it should be remedied. The attendants at such a school should be furnished ample work in various employments. Educational work should be equivalent to that furnished in grade schools of the state and special attention given to manual or vocational training.

I spent part of a day at the Penitentiary, and made as thorough an inspection as possible in the time I could give. The penitentiary is well managed, measured by the ordinary standards of prison management of today. I believe, however, that we are approaching the dawn of a new day in some phases of such work, and are but now catching glimpse of the true spirit which should prevail in the conduct of prisons, and the duty society owes to those confined within prison walls. We should never forget that the main purpose of imprisonment is reformation of and encouragement to the individual. It is perhaps true that there are those who are naturally criminally inclined, and others who seem to acquire the inclination. Some such there are who may be called willful or confirmed criminals, but in numbers they are relatively few. The others to a greater or less extent are unfortunates, who because of temptation or environment have made a mis-step, but for whose reformation, or restoration, there is hope and prospect. To such, society should ever extend the

hand of hope. They should be encouraged in every way to return to the fold of good citizenship.

In studying prison statistics one is struck by the ever recurring evidence of the fact that most of the occupants of prisons are boys and very young men. In our own penitentiary, of the two hundred ninety-two prisoners received during the two year period ending June 30, 1911,

46 were under 21 years of age,  
104 were under 25 years of age,  
174 were under 30 years of age, and  
212 were under 35 years of age.

That is to say: Of the total number received in two years, substantially three-quarters were under 35 years, sixty per cent under 30 years, thirty per cent under 25 years and sixteen per cent under 21 years of age. It is plain that a majority of our prison population consists of mere boys in age, gone wrong in the formative period of their lives. It would, indeed, be a severe indictment of society and modern civilization to deny that most of these are material for good citizenship. Even amongst the prisoners of more advanced age are very many who can be trusted and are worthy of confidence and are amenable to encouraging treatment.

I am firmly convinced that for this class of prisoners, which, I believe, constitute a good majority of all, outdoor employment should be furnished so far as possible, and they be dealt with on honor as men, so far as is consistent with proper discipline and safety. A popular suggestion for such employment at the present time is work on the highways. A plan for such employment may be worked out to some extent, but there are obstacles in the way under our conditions. In the first place, on our level prairies, road work is done almost exclusively with teams, and a comparatively small amount of work is required in a given space. Approximately, as many teams as men would usually be required. It would be impossible to establish camps from which a large gang of men could operate for a considerable time, as is the case in mountainous regions. Again, under our system, road work is down chiefly by the townships, some by the counties, which

would require some sort of an agreement or contract between the state and these local organizations. It is to be hoped that some day the state will contribute to the building of roads, when it might directly employ prisoners in this field. I do not wish to seem to discourage the plan of employing convicts at road labor. I am simply pointing to some of the difficulties in the way under our conditions and present system.

For long, I have believed that farm operation was the natural and proper employment for ordinary prisoners, especially the young, the first termers, those who are serving short sentences, and those, in general, who demonstrate that they are worthy of confidence. I learn that the state owns a tract of farm land, about two hundred forty acres, some distance north of the Penitentiary, and am informed that this land was, indeed, originally purchased for the Penitentiary. It is too far away to work advantageously from the Penitentiary itself. I recommend that you make provision for the immediate erection of suitable buildings, and that arrangements be made to operate a farm on this tract of land at once, with the labor of such of the inmates as the Warden and Board of Charities and Corrections may deem best suited and most deserving of trust. If it proves successful, as it seems to have proven highly successful in other states, it could be extended from time to time until employment of this kind was furnished to practically all of the inmates who can safely be entrusted in such work.

I have examined with a good deal of interest the contract under which the state is manufacturing shirts in the Penitentiary for the Sterling Manufacturing Company. I have always been opposed to contract labor in prisons. Lately I have given some special attention to the matter, and am more than ever convinced that in principle and practice it is absolutely wrong. In this instance, the state is here manufacturing an exceptionally good class of working shirts for thirty-six cents a dozen, three cents apiece. I do not complain especially on the ground that it may not furnish sufficient profit. From my standpoint, profit in a matter of this kind, is a secondary consideration. I call your attention, first, to the fact that the state, in making shirts for such beggarly prices,



is engaging in grossly unfair competition with a class of workers already shamefully underpaid. For this price the state furnishes room, light, heat, power and machinery of all kinds—cutting machines, sewing machines and everything used in the manufacture of shirts except the material; unboxes and unpacks the material, packs and boxes the completed shirts, all for three cents each. My complaint of the price, remember, is not especially that it does not furnish the state sufficient profit, but principally that it is brutally unfair competition with the workers in this line of industry.

It is claimed by those who should be in a position to know that the combination known as the Reliance-Sterling Manufacturing Company of which the Sterling Manufacturing Company is a part, controls the contract labor in eleven or more different state prisons and reformatories, and is commonly known as the "Prison Labor Trust;" that the company was organized about ten years ago with a very small and insignificant capital; that its profits have been such that its growth is remarkable, having now a paid up capital stock of over half a million dollars, and an annual business in the neighborhood of four million dollars. It is said that in different states the contract is let to different individuals, partnerships or companies, but that all such contractors are connected with or a part of the Reliance-Sterling combination. So far as I have been able to learn, the price paid on the contract in our penitentiary is below the average, though I have not a great deal of information in regard to this. It seems, however, that in Indiana the contract price is forty-six cents a dozen, and in Rhode Island, thirty-nine. I have not been able to learn of any other contract in which the price named is so low as ours, thirty-six cents a dozen. I have also been permitted to examine an elaborate lot of estimates and figures purporting to give the usual cost of manufacturing shirts with paid labor. The figures I have show that the lowest estimated cost under such conditions ranges from \$1.20 to \$1.40 per dozen. If this is true, and I believe it is, it will give you some idea of the inordinate profits to be made by this combination on the contract with our penitentiary, and I do not hesitate to characterize such

profits as blood money of the most inexcusable sort, secured at the expense of the hope and prospects of unfortunate prisoners who should be engaged in self-respecting and self-developing labor, and in brutal competition with those workers who earn their living in similar industries.

Again, I call your attention to the fact that no benefit comes to the individual man from this class of work. In the first place, it can hardly be called self-respecting labor. Understand, men here do not learn to make a shirt. There are twenty-five or thirty different operations. The material is started at one end of a long table, where men sit crowded close together, passing along from one to the other, each adding his little share, performing his particular little operation, and at the other end it comes out a shirt. Do you say these men are learning a trade? I ask, what trade? One man, for instance, simply sews on buttons with a machine, nothing else. If you say he is learning a trade, I answer that he is simply learning to sew on buttons, and, when released, the only possible benefit his experience can be to him is that he has learned to sew on buttons, if, anywhere in the world to which he is restored, he can find a similar machine. So it is with other operations. One man hems a collar, another sews it on; one attaches a cuff, another hems it; none getting any experience whatever in shirtmaking except in his own little part. There is absolutely nothing in any of these operations that in any way fits boy or man for earning an honorable livelihood when going again into the outside world.

There is only one possible consideration which, under any circumstances, could be offered in favor of such labor or the contract under which it is carried on, and that is that it furnishes employment. I will freely admit that if it was necessary to the employment of the men that it would be excusable; as between making shirts, even on contract, and idleness, common humanity would dictate that the men make shirts, but there is no such alternative necessarily offered. There are vastly better ways in which the men can be employed, in which they may learn useful, self-respecting occupations and earn much more for themselves and the state, than on this contract, so every consideration is

against its continuance. From every standpoint, to allow prison labor to be exploited under contract is inexcusable and unwise. I assume that when the present contract expires it would not be renewed in any event, so it may be unnecessary to make a recommendation in that regard. If, however, the circumstances and the contract are such that it can be terminated immediately, it should be done. I recommend that you look into this matter carefully and enact such legislation as may be necessary to positively prevent the renewal of this contract, or ever again making such a contract in this state, and providing for the termination of the present contract in the near future if you find that practicable. It should not be continued a day longer than is necessary to arrange for other employment for the inmates. Some of them could be put on a farm, as I have already suggested, even the coming summer. The institution could thus provide some of the vegetables, milk, eggs and other produce necessary for its use, so that the work of at least some men could be utilized profitably, and in work that would be beneficial and helpful to them. In the first place farm work is good, healthy, invigorating, self-respecting labor. Again, it offers opportunity for men, if they will, to learn the details of an industry that may be useful to them in after life. If a man being released from prison could go out with a certificate of the Board of Charities and Corrections or the Warden, certifying him to be a good, efficient farmer, or stock man, or dairy man, or a willing and efficient worker in any department of farm labor, it might be very helpful to him in his efforts to find a place and readjust himself in society and earn an honorable living. By the discriminating use of the indeterminate sentence and the parole, and a generous system of credits for good behavior, especially for trustworthiness when at work away from the Penitentiary and the usual restraints of prison life, with the provision that such credits would be certainly cancelled for any attempt to escape or to abuse privileges granted, a well managed farm might be made a most important factor in helping many of those unfortunate men back to a useful life. Starting now on the small tract of land I refer to here, operations could and should be extended until a large, well equipped farm might be developed,

conducted on modern, advanced lines, which, while being made the means of redemption of many good men, could also combine the advantages of a model farm on which to demonstrate the best farm methods for the benefit of the state, and a very profitable enterprise. On such a farm, properly managed, the labor of the men, instead of earning about one hundred dollars a year, as in the contract shirt factory, could be made to earn three hundred to five hundred dollars a year, and I would favor giving most of the earnings—the amount to vary according to merit—to the men and their families or dependents.

This is one of the big, important questions of the day. Most men confined in penitentiaries are not criminals, but victims of environment, and sometimes of circumstances over which they had not entire control. It should be the especial business of the state to give them every opportunity to come back and make good citizens.

I just want to say a word in regard to the conditions under which the men work in the shirt factory. I was much pleased to find that such conditions are as good as the circumstances permit. The work is done in a room well lighted and aired, and the general conditions are good. I was pleased to find that reports which had come to me that the Superintendent of the shirt factory was employed directly by the Sterling Manufacturing Company, and had control of the discipline of the men, are not true. I want it understood that I am not criticizing the management of the work in the shirt factory. My criticism is of the whole plan and system of contract labor and the contract under which it is being carried on in our Penitentiary. By way of emphasis, I say again that its continuance, in my opinion, is inexcusable from every standpoint.

The twine plant at the Penitentiary will always furnish employment to such of the inmates as it is thought can not be trusted with such work as farm operations. The reports of the Warden and the Board of Charities and Corrections give full information in regard to the operations of the twine plant and I will not go into it further than to say that the conditions under which it is operated and under which the men work are as good as could be looked for.



I note a particular need for improvement in the dining room. It is so situated in the building that it is utterly impossible to ventilate it well. A new dining room should be provided at once.

A night school is being conducted for such of the inmates as care to partake in it, and while I was not there at such time as to see it in operation, I am informed that it is doing well; that there are between forty and fifty regular attendants in four classes, covering practically such studies as are included in the public schools up to the Eighth Grade. This should be encouraged in every way and the parole officer required to give such help and attention as may be needed.

I have not been able to find that the parole officer has given much attention to his duties as prescribed by law. I do not happen to know which member of the present Board of Charities and Corrections is designated as the parole officer, but, although I have made considerable inquiry into the matter, I have not been able to learn that any of them have given much attention to the assistance and care of paroled or released prisoners. The law makes it the duty of the parole officer to secure, so far as possible, employment and homes for all persons discharged or paroled from the Penitentiary or Training School and to aid them in every way by counsel, help and encouragement. If you find that the law in this regard can be made more specific and plain, and the parole officer's duties more clearly defined, I recommend that you enact legislation to that end. It is my opinion that very much of the parole officer's time could very profitably be devoted to this work, and he should be required to give such time as is necessary.

The law also very clearly contemplates that the Board of Charities and Corrections should devote a very considerable portion of their time to the duties of their positions, much more, in my opinion, than they have in the past. I have been interested in the work of this Board, and I feel warranted in saying that they have not given such time to the duties of their positions as would enable them to get in touch with the workings of the various institutions and render the help that should be expected of them and that the law clearly contemplates.

I will take the liberty to say here, in regard to public employment, generally—not in regard to this Board especially, but as applying to all employees—that it is my understanding that an official should give such time to the duties of his office as may be required to fully perform them. It is no sufficient answer to say that the compensation is slight and insufficient. These positions of trust and importance are accepted with full knowledge of what the compensation is, and having been accepted, the state is entitled to full service in return. It is no uncommon thing for people to accept positions of trust and responsibility on the apparent theory that their public duties shall not interfere with their private, personal business. This is exactly the reverse of the proper rule. My doctrine is that having accepted public employment, a man should never let his private business interfere with his public duty, and I give notice now that those serving in appointive positions in my administration must give their time and services to the state, and perform the duties of their respective positions fully and efficiently, or quit and make way for those who will. This is not an unreasonable demand and is only what I shall do myself during the term of my official life.

### THE EDUCATIONAL INSTITUTIONS

The report of the Board of Regents is interesting and exhaustive. This report, together with the reports of the heads of the various institutions included therein, is worthy of your most careful attention. Specific recommendations are made as to the needs of the various schools, accompanied by much detailed information. I ask you to consider carefully the recommendations for appropriations, and to provide such support for the state's institutions of higher education as their growing needs demands, taking into consideration, in providing for the various schools, the character of the work, the number of students in attendance and such other considerations as will help you to do substantial justice to each.

At comparatively recent dates I have visited each of the various state schools, the University, the College of Agriculture and Mechanic Arts, the School of Mines, the Normal Schools at

Madison, Spearfish and Springfield, and the Northern Normal and Industrial School at Aberdeen, and I feel warranted in saying that they are each in a healthy and prosperous condition, and doing good and efficient work.

The University is developing along substantial and permanent lines. The students are a splendid lot of young men and women with whom it is a pleasure to meet and mingle, and all in all, it may be said that the University is growing into the position to be a fitting head of the educational interests of the state.

The College of Agriculture and Mechanic Arts is growing in importance and usefulness from year to year. I have felt for some time that its usefulness in purely agricultural and domestic science studies—those studies which educate for and not from farm life—should be especially emphasized. I am pleased to know that this is now receiving special attention. I trust the farmers of the state will more and more turn to the College of Agriculture and Mechanic Arts for guidance and instruction, and I am sure it will respond in a way that will be satisfactory.

The School of Mines is doing particularly good work in its special field, and is entitled to liberal support and encouragement. I may say the same of the three Normal Schools and the Northern Normal and Industrial School.

In each of these institutions, I find, generally, that the executives and instructors are earnest, enthusiastic and devoted to their duties and the welfare of those under their charge. All in all, these institutions are entitled to the confidence and sympathetic support of the people of the state.

I call your attention especially to the Regents' recommendation for extension work in Agriculture in connection with the State College of Agriculture and Mechanic Arts. I regard this as of the greatest importance to the state and people. There are now pending in Congress two bills, known, respectively, as the Lever and Page bills, each providing an elaborate plan of agricultural education, of nation wide scope, more ambitious and comprehensive, perhaps, than anything of the kind ever heretofore attempted in the country. I shall not delay to discuss the provisions of this proposed legislation further than to say that the



general plan is a proposal to co-operate with the states under specified rules, the state to contribute funds in proportion to the amounts furnished by the general government. It is believed that one of these bills will soon be enacted into law, and this state should be prepared to take advantage of the opportunity thereby offered to extend agricultural education effectively. The International Harvester Company proposes taking up this work and is reported to have appropriated a million dollars for that purpose, and to have engaged a noted expert to place in charge of its activities in this line. Other corporations are reported to be looking to similar activities. The bankers of the various states, through their associations and committees, are actively and earnestly moving in this field also. This is essentially the domain of the state, it should be the work of the people themselves through their various governments, state and national. When corporations like the International Harvester Company can see financial advantage in investing large sums in agricultural educational work and are interested in doing it, how much more interested should the people themselves be in using their own agencies to secure the full benefits of this class of education, which can be made so profitable to all of us, and through which the wealth of the state may be so materially increased. I welcome those other agencies in this field of useful endeavor, but would especially emphasize the fact that this is essentially the work of the people themselves, to be developed through their own agency, their state government. The Regents furnish much interesting detailed information on this question. I recommend that you give it your earnest consideration and provide for a good commencement, at least, in this field.

I especially call your attention to and endorse the recommendation of the Regents for appropriations for a summer school at each of the Normal Schools in the state. In this connection, I quote from the report of President Nash of the Northern Normal and Industrial School to the Board of Regents, as follows:

"Last year I suggested to the Board that it is poor economy for the state to have this expensive educational

plant idle during one-fourth of the year. The summer session can be maintained at less expense than any other equivalent portion of the year, and I am strongly in favor of having the Regents authorize a term of from six to nine weeks during the summer months. \* \* \* A summer school would give teachers who must work nine months of the year an opportunity during vacation to improve their scholastic standing. In fact, if the Regents were to offer this summer work, courses of study could be established and the credits earned would be on a par with those secured during the regular school year. This arrangement would prove popular with the larger body of South Dakota teachers and I most warmly urge the Board to take the advanced step."

It occurs to me that such summer sessions might wisely be provided for at the Normal Schools.

I am firmly of the opinion that the industrial and manual training department of the Northern Normal and Industrial School at Aberdeen should be maintained, and developed to the highest degree of usefulness. This department of education I believe to be most important and should be encouraged and extended wherever possible. The demand of the times is so distinctly in favor of industrial and vocational training that I see no reason why this department should be torn out here where it is so well established and is doing so efficient work. I quote the following from the catalogue in regard to the scope of the work:

"The department \* \* \* gives instruction in manual training, drawing, designing, and painting to students of the Normal school; instruction in shopwork, drawing and designing to young men who desire responsible positions in industries where both the theory and practice of the mechanic arts are required; instruction in special industrial courses to young men who are unable to take the full mechanic arts course, but desire practical training in the various trades; and instruction to students preparing to teach the manual and industrial arts."

Why should this commendable work be hindered anywhere? Should it not rather be extended wherever possible? In this connection I call your attention to the quotation from ex-President Cyrus Northrup of the University of Minnesota, as printed in the Regents' Report, which is a strong argument for industrial education everywhere.

What may be called the common schools in the rural districts and towns of the state are vitally important to more people than any other of our educational institutions, for the reason that such a very large percentage of our young people receive all the education they ever get therein. Everything possible should be done to help and improve these schools.

At the State Educational Association meeting recently held in Mitchell, the County Superintendents' Conference adopted resolutions looking to the improvement of this class of schools, which resolutions I understand were approved by the association. These resolutions refer to the holding of agricultural and industrial contests under the direction of the County Superintendent; to the time of holding County Normal Institutes; to the matter of providing deputy county superintendents in the larger counties; the payment of the traveling expenses of the county superintendent, and deputy where one is provided, incurred in the discharge of his duties; state aid to the rural schools under stated conditions, with a view, amongst other things, to fostering the consolidation of rural schools; and recommend an amendment to the constitution removing the term limit from the office of county superintendent.

I commend this matter to your careful consideration, with the suggestion that no more important matter is before the people of the state at the present time than the improvement of our rural schools, and I want to call your especial attention to the fact that the law, while requiring the county superintendent to travel about the county and visit schools, does not provide for the payment of his traveling expenses. This is not only unfair and unjust, for the reason that it might often happen that energetic and efficient attention to this part of his duty on the part of a county superintendent, might absorb a very considerable portion of his

salary, but it also places an absolute premium on a neglect of duty. The superintendent remaining at home and failing to visit the schools under his charge, would at the end of the term be measurably better off than the one who went into his work with proper spirit and offered substantial assistance and encouragement to the teachers in the schools by his presence. It also offers encouragement to one to make the required annual visit, if made at all, a mere matter of form, covering as much ground as possible in a day, thereby limiting expense to himself.

### **PROPOSED BOARD OF CONTROL**

The Board of Regents recommend the proposal of a constitutional amendment to change the method of furnishing funds for the support of the state educational institutions, under which the Regents would annually levy a specified mill tax, within certain defined limits for the support of such institutions, in lieu of biennial appropriations by the legislature. There is merit in this suggestion. As chairman of the Committee on Appropriations of the Senate in two past sessions of the legislature, I had unusual opportunity to observe the working of the present system of making appropriations. It is an awkward, cumbersome and unscientific method. Funds are appropriated in a more or less haphazard way, as it is impossible during the short space of a legislative session, for members to become familiar with the needs of the various institutions. The pressure for appropriations embarrasses and impedes members in their regular legislative work, and is a disturbing and disorganizing factor, generally, and, in my opinion, it is only a question of time when it will be abandoned for a more rational and effective method. I could not, however, give my approval to a proposition to have a board whose business it is to manage a part of the institutions of the state, levy the tax for such institutions as are under its control. This would only lead to "confusion worse confounded." It is the experience of legislators that an individual or board representing an institution or interest for which public funds are to be appropriated, sees the needs of the institution he or it represents in undue proportion to the needs of other institutions. If the Regents were given authority, and it was made their duty, to levy a tax to provide

funds for the institutions under their control, it would follow that other state boards should do the same, each in its particular field. This would surely lead to strife and contention and unsatisfactory results. It would be unwise, from every standpoint, to have different boards levying tax to provide funds, each for its particular institution, where the tendency would be for each to magnify the needs of the institutions under its care and minimize the needs of the others.

This leads to a consideration of the entire plan of managing and financing the so-called institutions of the state. We have now two general boards with about equal duties and responsibilities; the Board of Regents, charged with the management and care of the various state institutions of learning, and the Board of Charities and Corrections, charged with the management of the charitable and penal institutions. Each board consists of five members. Much of the work entrusted to each board is similar in character; for instance, the care of property, buildings and grounds, the purchase of general supplies such as fuel, furniture and general equipment. Generally, the larger the quantity in which such supplies are contracted for, the more advantageously they can be secured. The purely educational part of the work entrusted to the Regents I regard as of a different class, and to some extent requiring special and different qualifications on the part of those entrusted with it.

In my opinion it would be a vast improvement over our present system to have a non-partisan, non-political board of three efficient members, to have control of the general financial affairs of these two classes of institutions, and entire control of the penal and charitable institutions; the members of such board to receive sufficient salary to warrant them in giving their entire time to their official duties and to be required to do so. Then, a Board of Regents, to be charged with the duty of looking after the educational features of the various state schools; and the directing of educational policies and the employment of executives, deans, professors and instructors; the selecting and securing of educational supplies and equipment and similar duties. Such Board of Regents to consist of three or five members, and, being relieved



of very much of the financial duties devolving on the Board of Regents under our present system, would not be expected to devote their entire time to their official duties.

The Board of Control under such a plan, would have general financial control of practically all the institutions and activities of the state, except such as may be said to be within the scope, and under the control, of the executive and judicial departments. Such a Board might well be entrusted with the duty of making an annual tax levy, within strictly defined constitutional or statutory limits, for the support of all these institutions. After much study of the question, and considerable experience with the present method of appropriating money, I unhesitatingly say that this change would be a great improvement over the present system. It would relieve members of the legislature of the vexation, annoyance and confusion resulting from the attempt to determine, during the pressure and hurry of a brief legislative session, what support should be given to each of a lot of different institutions, differing in size, purpose, scope, limitations and surroundings, and leave each member free to devote his time and energy to his legitimate legislative work, to the important questions that are ever before a legislature, pressing for solution. I know from experience that no legislator can do justice to himself, his constituency or the state, while importuned and harassed by friends and supporters of different institutions, and while trying to keep in mind the claims made for each, and to do right by all and by the state.

Then, too, it would place all institutions on a basis of security and independence, their financial support secure and substantially certain in amount. The Boards, executives and officers could go ahead safely and securely with their duties, relieved from the uncertainty incident to the present system of legislative appropriations. I quote the following from the report of the Board of Regents in regard to this phase of the question:

"The Regents Board in attempting to administer the affairs of the institutions, \* \* \* is met with the proposition that no matter how wisely plans may be made for developing any institution for the best interest of

the state, no contracts can be entered into or arrangements perfected until after the legislature meets and indirectly passes upon the recommendation of the Board by the character of its appropriations. It is a frequent saying to the Regents of Education, 'No matter what you may advise or recommend, the legislature may not provide the funds, or may take action contrary to your plans.'"

Then, too, it would save money to the state directly in salary and expense, not to mention the large amounts that might be saved by the improvement in business methods resulting from having a Board devote its entire time to official duties, which by the very fact of such continuous attention in the one line of work, would become more efficient; buying fuel and other supplies in large quantities, and making such saving as naturally would come with a Board the members of which were on the job all the time.

I urgently recommend that you enact and submit to a vote of the people, at the next general election, a proposed amendment to the constitution, providing for a general Board of Control and a Board of Regents, along the lines indicated herein. I suggest that the constitutional provision for such Board of Control should provide for its duties and limitations only in general and comprehensive terms, leaving the details to be provided for by legislative enactment, as the needs of the present and the future may from time to time require.

### **FREIGHT AND PASSENGER RATES**

The question of freight and passenger rates has occupied the attention of the people of the state for years. Various efforts have been made, especially in the six years last past, to secure rates that are just, reasonable and equitable between localities and individuals. The results obtained thus far are not satisfactory. This is not because of lack of effect on the part of the state. Orders of the Board of Railroad Commissioners, made in February 1907, April 1908, January 1910, March 1910, and May 1910, reduced all freight rates in the state east and west of the Missouri river from five to forty per cent on the different classes of freight. Notwithstanding such reductions, however, freight rates, especially west of the Missouri river, remained excessively



and unreasonably high, and in February, 1911, the Board issued tariffs affecting all classes and all commodities, the more important changes being on traffic west of the Missouri river, providing for very material reductions in rates, and aiming to make rates the same throughout the state, east and west of the Missouri river. These tariffs, were not permitted to go into effect, however, being enjoined by the Federal Court. In obedience to an act of the legislature, passed in the session of 1907, the Board of Railroad Commissioners made its order fixing passenger fares, between points within the state, at two and one-half cents per mile, which order was also promptly enjoined by the Federal Court. In the session of 1909 the legislature enacted a law fixing passenger fares at two cents per mile and the Federal Court again intervened with an injunction. The suits in these cases have been pushed by the Attorney General's office vigorously and intelligently, but they are still pending and undetermined.

It was the boast of the representatives of the railroads that in thirteen minutes after the Governor had signed at Pierre the act fixing passenger fares at two cents per mile, the Federal Judge at Sioux Falls had signed his sweeping order restraining the Attorney General and all State's Attorneys from attempting to enforce it. Nearly four years have passed since then, but we have not yet been able to learn from the Court whether or not the fares fixed in the act are reasonable. It is now nearly six years since the order of the Board, fixing two and one-half cents per mile as the maximum charge for passenger fares, was tied up by injunction, yet, in that time, the Court has not said whether such order is right or wrong. It is practically two years since the Board attempted to relieve the people, principally those west of the Missouri river, from oppressive and extortionate freight rates, yet in all of that time, the Court which so promptly tied up that order, has not yet decided whether, in its judgment, the rates fixed in such order are just or unjust. These various injunctions and the suits growing out of them have thus been pending for periods ranging from two to six years, without a decision one way or the other. In this experience, South Dakota is in the same condition as many other states and, in fact, that of practically all other states where rate regulation has been seriously attempted.

It would seem that no effective regulation of freight and passenger rates within state lines is possible so long as the lower Federal Courts are thus permitted to annul and bring to naught all efforts on the part of the people of the state to secure relief. The people do not so much complain of any specific decision by these courts as of the contemptuous way in which they trample on state laws, and hinder state officials in the performance of their duty in enforcing the laws when no decision or judgment on the merits of such laws has been rendered.

The National Association of Attorneys General of the United States, as a means of relief from the intolerable conditions thus created, recommended the enactment of legislation by Congress so limiting the jurisdiction of the circuit and district federal courts as to prohibit them from restraining any officer or administrative board of any state from instituting in a state court any suit or other appropriate proceeding to enforce the laws, or orders of such administrative board, of the state, and providing that such cases shall be tried in the state courts, with appeal, on constitutional questions, to the Supreme Court of the United States. I urge that, by resolution or otherwise, you convey to our Senators and Representatives in Congress your approval of such a measure.

Why should not these matters be tried and settled in our own state courts? Is there a possibility that they would do injustice to any of these corporations? The idea is preposterous. Relief might, however, be furnished the people with reasonable promptness where relief was due. The agencies of the national government can not be enlisted to relieve the people from the burden of high and extortionate freight and passenger rates on business within and not crossing state lines, but the lower courts of the national government seem to effectually stand in the way of relief being furnished by the state.

Our state freight rates are so high as to practically prohibit exchange of certain classes of commodities between different parts of the state and to work serious injustice to shippers of nearly all classes. The most superficial and cursory examination of rates charged between various points will demonstrate this. For in-

stance, the rate on grain, flour, mill stuffs, etc., from Miller to Watertown, one hundred and fifty miles, is equal to the rate from Miller to Minneapolis, three hundred miles. Parties recently shipping oats from Brookings to Miller paid regular Minneapolis rates to Miller, though the distance is less than half. The rate on such products from Gettysburg to Watertown is the same as from Gettysburg to Minneapolis, though the distance is much less than half. It costs considerably more to ship flour to Orient from Watertown than from Minneapolis, though it travels less than one-third as far. These are a few instances selected at random to show some of the disadvantages dealers in such commodities labor under in conducting a business dependent on state trade, and the gross injustice done to the public. It is important that state rates be adjusted so as to permit the development of manufacturing and various other industries within the borders of the state, but it is even more important that the whole people be protected from unjust and unreasonable tolls levied on the products of their daily labor and their necessities of life through extortionate rates and charges.

Not only are our state rates inordinately high in comparison to interstate rates, but compared to state rates in nearby states, as well. There is no good reason why freight rates should be higher in South Dakota than in other nearby states, and this fight will be continued until they are reduced and made fair and reasonable to the public as well as equitable in relation to other localities.

I have started some investigation of railroad rates which I have not had time to complete. I intend to communicate with you further in relation to this later in the session, when I shall try to furnish you some detailed information, and possibly, suggest remedies.

The motives behind the contest for fair and reasonable freight and passenger rates are sometimes misunderstood and often misrepresented. There is no desire to harass or inconvenience the railroad companies, nor to reduce their earnings below what is fair and reasonable. On the contrary, every one is personally interested in their success and prosperity, freely conceding their

right to make such charges for their services as will enable them to pay a fair return on the amount of actual investment or value of their property, after paying maintenance and operating expenses. Let them agree to and act on this simple proposition, and then make full, fair and honest report showing all their transactions, their total income and legitimate expenditures—which now they do not—and we can agree at once. What we object to is extortion by means of unfair, unjust and unreasonable rates.

That railroad rates are too high, and often extortionate as well as unfair and discriminatory, is beyond controversy. We are sometimes told by interested parties that railroad earnings are small, that dividends and interest earnings on railroad stocks and securities are low. The fallacy of such statements is apparent to him who carefully examines the situation and goes but a small way beneath the surface in search of the real truth. If the percentage of earnings is low; it is because such percentage is figured on grossly exaggerated capitalization, on stock and bond issues far beyond the value of the property. The fact is that returns from the actual investment in railroad property are very high and increasingly so in late years. Notwithstanding extravagant management and excessive profits to individuals, the returns from this class of investments are often inordinately large. A well recognized method is, after paying interest and high dividends, to accumulate large sums which are put into betterments, permanent improvements and extensions, and even the building of new lines. We have a good example of this near at hand. From the testimony of the railway officials in the suits to enjoin the enforcement of the laws to reduce passenger fares in this state, it appears that the Pierre and Fort Pierre Bridge Railway between Pierre and Fort Pierre, the Pierre, Rapid City & Northwestern Railway, between Fort Pierre and Rapid City, and the Wyoming & Northwestern Railway, in Wyoming, were all constructed by money taken from the cash account of the Chicago & Northwestern Railway Company. It seems no stock was issued, no bonds sold, to raise money, and nothing contributed by stock holders to build these expensive lines, but they seem to have been built by the Chicago & Northwestern Railway Company with



money extorted from the public by means of excessive freight and passenger rates, and this in the face of the fact that for years the company has paid the interest on its bonds and distributed to its stockholders dividends to the amount of eight per cent on its stock. In plain terms, then, these lines were built with funds belonging to the public, to which the alleged owners of the properties have contributed nothing. This is one instance which happens to come within the range of my knowledge. There is no reason to presume that there are not many others of like kind, and I cite it as an illustration of one method of disposing of earnings and as plain proof of the fact that freight and passenger rates in the aggregate are not only high but extortionate.

The railroads are commercial highways upon which the corporations are permitted to conduct the business of common carriers, and for their services are entitled to make such rates and charges as will pay maintenance and operating expenses and a fair return on the value of the property used. The power to fix such rates is an attribute of sovereignty, and so is necessarily and essentially a governmental matter. It was recently said by one of the state commissions:

“The power to fix rates and charges for transportation is an attribute of sovereignty, because in operating a public highway a transportation corporation exercises the power of the sovereign. This power over public highways constructed for public use to accommodate public travel and secure public convenience is a matter of public concern and is absolutely essential to government.”

This being true, it is unbelievable that the people will surrender this important governmental function to private corporations. These statements are so elemental that it seems almost a waste of time to utter them. In theory, at least, in this country they are generally accepted, and National and State Commissions are established and formally given wide discretionary powers in fixing and determining rates and charges. But of what avail are such powers, or the acceptance of the theory that such powers may be exercised by the states, so long as these courts are permitted to so contemptuously nullify them by such delays as I

have indicated? I am aware, of course, that excuse and explanation are offered for such delays, but the plain, average citizen sees only the palpable fact that the agencies of his state government are paralyzed, bound hand and foot, and its officers and agents positively forbidden to obey its laws and mandates, or to perform the duties imposed on them by the state in its sovereign capacity, and this without judgment or decision that such laws are unconstitutional or wrong in any particular. Of what avail is it, I repeat, to hold that in fixing and determining rates and charges on the public highways, the state, in its sovereign capacity, shall control, when, for practically six years, an order of its proper administrative board, made in obedience to legislative enactment, is held up and nullified, and its officers menacingly forbidden to obey its laws or perform their sworn duties? These vexatious delays and the efforts to secure fair and reasonable freight and passenger rates are necessarily expensive, but the principles involved are vital and fundamental and cannot be abandoned. Under modern conditions transportation is of vital interest to every one, of such vital interest that we cannot think of leaving to private corporations the question of deciding what toll shall be levied therefor. It has well been said that: "Everything we have or want or buy or sell or use has a transportation charge in it." The amount paid for transportation charges is enormous. I have not information at hand as to the total of freight and passenger charges paid by the people of this state, but the total amount on the state and interstate business—on all freight shipments and passenger traffic, in and out, from all stations in the state—if known, would be found to be surprisingly large. It is a matter of the utmost importance to the people of the state and no effort should be spared until such charges are placed on a fair and equitable basis.

The Attorney General's office and the Board of Railroad Commissioners have been faithful and diligent in representing the state in the effort to reach a solution of this question. The Board has issued its orders after mature deliberation and exhaustive investigation, which, if allowed to stand, would furnish much needed relief. The physical valuation of railway property of the state made by it in pursuance of law, has been accomplished without

undue expense, and so efficiently that it is accepted by the Master in the passenger fare cases as correct. The former and present Attorney General and assistants have represented the state's interests loyally and efficiently. In the passenger rate cases in this state, for the first time, I believe, in the history of such litigation, the state's position has been substantially sustained, and a favorable report made by the Master. So soon as the Supreme Court of the United States renders a decision in the so-called Minnesota rate cases it is expected that our cases, which involve substantially the same questions, will come on for trial, and it is hoped the determination will be favorable to the state. It will be your duty to make such appropriation for expenses of and assistants to the Attorney General as will enable him to properly provide for taking care of the interests of the state.

In this connection I call your attention to the importance of requiring the members of the Board of Railroad Commissioners to reside at the Capital, and remain in practically continuous session, as a Board, except during such time as their official duties takes them about the state. It perhaps would be some hardship to require them to break up their present homes and establish residence at the Capitol on their present meager salaries, yet it is of the utmost importance that they be here, within easy reach of the Governor and Attorney General, and that they devote their entire time to their work, and thus become expert and efficient in the line of their duties, and I recommend that they be required to do this, even though it be deemed necessary to increase their compensation to make up for their added expenses. There is very much work that should properly come before the Board for consideration and determination, much more, I believe, than they can possibly attend to satisfactorily under present methods.

The railway companies are constantly filing new schedules, raising individual rates, changing classifications in such a way as to amount to a raise in rates and making constant changes, all of which should be most carefully and closely scrutinized by the Board before being permitted to go into effect. The Board can easily save to the people of the state many times the amount of the salary and expenses of its members by giving such close and



continuous attention to its various duties as residence at the Capitol would make possible.

In personal statements to me, Honorable George Rice, who is retiring from the Board after six years of very efficient service, and who is a very competent and capable man, has expressed in the most emphatic possible way, the importance of this, saying that a railroad commissioner on a Board in practically continuous session, with his undivided attention given to the work, would become, in some measure, at least, expert in his duties, and that by careful and watchful attention to what might seem like small details of the business, as well as the larger questions that arise, the Board could save to the people an amount equal to the entire state tax. Other members of the Board have expressed substantially the same conviction.

Under the law the Board of Railroad Commissioners are charged with the regulation and control, not only of the railroad companies, but telephone, telegraph, express and sleeping car companies as well. The telephone business is growing and extending rapidly, and now, in the early days of its development, it is important to establish firmly the principles of strong, effective regulation and control of service and charges on the basis, as heretofore suggested in regard to railroads, of a fair return for service rendered. I believe that the time has come when all public utilities should be brought under control of the Board and it be given the powers and duties of a general public utilities commission and charged with the duty of regulating service and charges. The basis of successful regulation and control must be the physical valuation of the property in use, the determination of proper standards of equipment as to kind, quality and construction, and an accurate system of accounting to show the gross earnings and the necessary and proper expenses and thus the net income. For this purpose the Board should have a competent engineer and expert accountants and the question of proper regulation and control taken up broadly, comprehensively and with a view to permanent results. Considerations of economy should be kept in mind and the utmost care exercised in appropriating public funds, but it is to be remembered that it would be false economy indeed,

to fail to put this Board in a position where it can accomplish the important work there is for it to do in securing good and efficient service from the public service corporations doing business in the state and saving to the people large sums in rates and charges.

The Board recommends the enactment of a law requiring the railway companies to annually report to the Board their gross receipts and disbursements at each station in the state. This is a matter of importance, and I especially urge it upon your attention.

In this connection I call your attention to the recommendation of the Attorney General for the enactment of a law providing for appeal from the Board of Railroad Commissioners to the Supreme Court of the state, direct. This recommendation of the Attorney General relates to an important matter regarding the enforcement of orders of the Board of Railroad Commissioners and should receive your careful attention.

I suggest a law to provide that, where the state either by legislative enactment or an order of the Board of Railroad Commissioners, fixes a certain freight or passenger rate and such rate is not immediately put in force, but is delayed or held up, by litigation or otherwise, and is ultimately established and put in force as an effective rate, any amount charged and collected after the time set in such enactment or order for the rate to take effect, in excess of the rate so fixed, must be repaid, and the companies be required to keep accurate account of such excess charges and report on and repay the same immediately after the rate is finally established and put in force.

The law should authorize the Attorney General or his assistants to call for, secure and examine the books of any corporation doing business in the state, regardless of where its main office may be, or whether or not its books are in or out of the state. If you find, on investigation, that our present law does not give such authority, or if there seems to be any question in regard to it, you should enact a law plainly and definitely giving such authority.

**ASSESSMENT AND TAXATION**

The assessment and taxation of property is ever a difficult and perplexing problem, here as elsewhere; but while many other states have made progress in the solution of the question, South Dakota lags behind. It is time something was done to remedy this. It is a well known fact that under our present method the burdens of taxation rest upon individuals almost exactly in inverse ratio to their ability to pay. The man with a little home or a small amount of tangible, visible property, contributes liberally in proportion to his means to the support of government, while the man of large means contributes proportionately little. Various forms of intangible property continue to practically escape taxation. For instance, the amount of moneys and credits returned for taxation is very slight, and on such amounts as are returned and taxed, the burden falls unevenly and unfairly. Some of the larger and richer counties of the state return almost nothing in moneys and credits, while other counties of smaller population and less worth return considerably more, thus making the taxation of this class of property exceedingly inequitable. Generally speaking, farmers with their real estate and their visible, tangible property in live stock and equipment, and people of moderate means in towns owning their little homes, and people generally whose property is in tangible form pay an entirely undue proportion of the taxes required to support the government, state and local. These conditions are so apparent, well known and generally accepted, that I hesitate to restate them here. They have frequently been referred to in the state by governors, state auditors and others whose duties bring them into close touch with the situation, but notwithstanding the fact that attention has been so repeatedly called to the palpable failure of our present system, nothing has been done to effectually remedy it. It may be said, perhaps, that our present constitutional provisions do not permit a perfect, scientific and equitable system of taxation. Nevertheless, much might be done by proper supervision to improve conditions and equalize the burdens of taxation, even with our constitution as it is. To this end I earnestly recommend to you the enactment of a law providing for a permanent tax commission, to have general supervisory powers over the

matter of assessment for taxation in the state, and in addition to its other duties, to perform the duties now devolving upon the board of assessment and equalization. This commission should be non-partisan and non-political, and consist of three members to be appointed by the governor, to be required to devote their entire time to their official duties, with such salary as will attract competent, efficient men. To prevent it from ever becoming a political organization, the law should provide that not more than two of the three members should belong to any one political party. Such a commission might be of almost inestimable value to the state. This method of supervising taxes has come to be approved by practically everyone who has given serious consideration to the matter. The more progressive states surrounding us have one after another adopted it, and where once adopted there never is talk of again laying it aside. The chairman of the Kansas Tax Commission is reported to have said recently:

"It is now nearly two years since the first Conference Convention of the Tax Commission and County Assessors was held. The remarkable result achieved through their efforts is common knowledge over the state, and has attracted stultious attention and favorable comment from points outside of the state, because it brought about a perhaps unprecedented revolution in the assessment of property in a territory so large as a state."

He then proceeds to point out in detail how by reason of the more thorough assessment and correct valuation the average tax rate in Kansas was reduced from 46 mills in 1907 to 9 mills in 1909. Similar commendation of the system comes uniformly from other states where it has been tried. There is no question as to its wisdom, and you should provide for it at this session.

#### INHERITANCE TAX

The Attorney General in his report calls attention to the condition of our inheritance tax law, pointing out serious defects in it, which seem to make it inapplicable to our conditions and practically useless. He states that acting in conjunction with Mr. F. E. Snider, State's Attorney of Faulk county, he has secured and

examined every inheritance tax statute enacted in the different states, and has considered practically every case where such statutes have been construed, and out of this experience recommends the enactment of a new statute. I endorse this recommendation, and suggest that you give it your attention. It is a matter of the utmost importance to the state, not only because of the revenue it may bring in, but because a properly devised and adequate system of taxing inheritances is one of the most equitable methods of taxation.

### **ELECTIONS**

The primary election system of making nominations has justified itself. A new primary law making some fundamental changes in the system of nominating candidates, enacted by the last legislature and submitted to the people under the initiative provision of the state constitution, was adopted at the late election. Having been thus approved by the voters, it of course must be given careful and thorough trial without change. It will be your duty to make such appropriation of funds as may be necessary to carry it into effect.

Our law defining and prohibiting corrupt practices in connection with elections should be improved and strengthened; those who may contribute to, receive and disburse campaign funds, defined and limited; candidates and personal representatives of candidates, political committees, and chairman, secretaries and treasurers of such committees defined and their duties outlined and limited. Itemized, detailed statements of moneys received and disbursed should be required to be filed with the proper officer pending the campaign and before election, and final, complete statements, making full, itemized and detailed reports of all moneys received and expended, from whom received, to whom paid and for what purpose after the election. The law should also clearly define who may and who may not contribute to campaign funds, and from whom contributions may be accepted or collected, and to whom and for what purpose campaign money may be disbursed or paid, and limiting strictly the purposes for which money may be expended in political campaigns; placing a positive limit on the gross amount that may be expended by, for or in behalf of any



candidate, such limit being based either on voting population or the emoluments of the office, providing that in no event shall the amount that may be so spent by, for or in behalf of, any candidate be so much at any election as one year's salary of the office he is a candidate for. Experience demonstrates that large expenditure of money to carry elections is a great evil. It tends to lower the ideals and corrupt the morals of the electorate by placing undue emphasis on the value of money in carrying elections, and to undermine confidence in the integrity of elections, and so finally in government. It discourages good men of limited means who often would make the very best of officials, from entering public life, and places a premium on lavish and riotous expenditure, rather than on good and efficient service. I consider it vitally important that such expenditure be positively and definitely limited, and the law drawn so as to make such limitation effective. Political advertising and publicity should also be strictly defined, regulated and limited. Any article or argument for or against any candidate or measure to be voted on at any election or in the legislature, for which any consideration of any kind is offered, asked, given or accepted, published in any newspaper, periodical or publication of any kind, should be required to be plainly marked: "Political Advertising." It is a plain imposition on the public to have paid political advertising published as news, or as editorial matter supposedly representing the views of the publication. I am sure the self-respecting newspapers will welcome such a provision to place such advertising on an open, business basis, and it is important in the interests of fair, intelligent political action.

I call your attention to a practice which I consider an abuse of the initiative and referendum provision of the constitution. I refer to the practice of buying signatures to petitions. It is commonly reported, and I believe true, that in at least two instances in the past, the referendum was invoked against laws passed by the legislature, where those financially interested in the delay that followed paid a stated price for signatures and thus delayed the operation of each law nearly two years, as a purely business proposition. I regard this as being little, if any, better than buying

votes at election. The statute should be so amended as to prohibit these abuses.

The law should also prohibit corporations, their officers or agents, or any one acting for them, from coercing or influencing the political action of their employees by threat or intimidation, express or implied, or suggestion, intimation or innuendo regarding employment or discharge, increase or decrease of wages, or using any coercive methods, express or implied, tending to influence the political opinions or actions of such employees.

### PUBLIC PRINTING

I call your attention to what I believe to be the excessive cost of our public printing. For some reason this seems to be growing with each successive biennium until it now amounts to a large sum. This is a very important matter, and merits your most careful attention. After looking into it with some degree of care I feel warranted in saying that we are paying for printing nearly or quite double what we should.

I have made some investigation as to the cost of our public printing compared with that paid by other states, and also as to the relative merit of the work, and the results are uniformly to our disadvantage. In regard to relative cost, I will take time to refer only to the printing of the 1911 session laws. South Dakota published 7,000 volumes at a cost of \$9,179.24, a little over \$1.31 each; Montana published 1,000 volumes for \$489.52, or a little over 48c each; Nebraska, 3,500 volumes at a cost of \$2,168.00, or 61c each; Wyoming, 2,000 volumes at a cost of \$968.00, a little over 48c each, and Iowa, 10,000 volumes, at a cost of \$3,409.72, or a little over 34c each. Thus it will be seen that South Dakota's session laws cost, per volume, considerably more than twice the cost of Nebraska's, practically four times the cost of Iowa's, and substantially three times the cost of Montana's and Wyoming's. Practically the same relative difference in cost seems to exist—the same excessive cost to us—in regard to other classes of public printing. You need only make the briefest investigation to be convinced that public printing in our state costs relatively much more than in other states. It can not be said that it is because we get a superior class of work. I shall not say that our work is not

up to the average standard of other states, though some of it is poor enough. It is sufficient for present purposes to say that it is no better, which it certainly is not.

This condition of affairs is due, in a measure, at least, to oversight and inattention, and to provisions in the law, either carelessly constructed or cunningly devised, according to the view one may take of it. In any event, there is no possible excuse for allowing it to continue. It is your duty to find a remedy.

There are two general remedies, either one of which might be applied: Either establish and operate a state printing plant and bindery, or thoroughly revise the law providing for public printing by contract. Kansas seems to be doing especially well with its state printing establishment. Beyond question it is securing its printing at a fraction of the cost to us, and I believe a better class of work. I am not, however, prepared to recommend a state printing plant at the present time, but am inclined to doubt the advisability of it, under all the circumstances. This is for you to determine, however. If it is determined not to establish a state printery, then there should be a complete revision of our methods of securing this class of work by contract.

Under the present law this class of printing is all done by establishments located in the state, the law expressly prohibiting awarding contracts to any outside establishment or to any local branch of such. This is very well, in a measure. It is right and proper to encourage local enterprises, but we should not pay too dearly for it. We should have a provision that where all bids offered seem unnecessarily and unreasonably high, it would be the duty of the printing commission to reject all of them and immediately readvertise for new bids, and in such readvertisement the bidding should be left open to all, to those without as well as within the state. That is to say, I would give the printing establishments of our own state the benefit of excluding outside competition under ordinary circumstances, and so long as they are willing to make reasonable prices, but would reserve to the state the right to protect itself by inviting bids from outside the state in cases where the state bids were unreasonably high. There can be no consistent objection to this, and at the same time it would

be a means of saving large sums of money to the state, without doing injustice to any one.

Another method by which the state seems to be imposed upon is by overcharging or repeatedly charging for what, in printer's parlance is known as composition, setting type or making linotype or plates for forms, or matter, that is used repeatedly. It often happens that identical bills are introduced both in the House and Senate. Such are usually long and printed at considerable cost to the state. Each entire bill, including the title, being, as I say, identical, except the words "House Bill," and the name of the author on the one, and "Senate Bill," and the name of the author on the other. It is the regular custom to make full charge for composition on each bill, though the work is done but once. I understand the same is true in regard to the printing of the daily and permanent journals of the Senate and House. The daily journal being printed and composition, of course, paid for; then the permanent journal printed from the same forms and composition again paid for. Such matter as the Enabling Act and the State Constitution we have published in various books and publications again and again, year after year, and, I believe, composition charged for each time. Positive provision should be made that the same composition be paid for but once, no matter how often used. I find that some state laws provide that when forms are once made for matter of a permanent kind, or that is to be used more than once, the linotype or plates become the property of the state, to be used again and again as required, without additional charge or cost, the state, of course, paying for the metal.

We should have an entirely new law governing public printing. The present one is impossible of comprehension by any one unless possibly by an expert professional printer, and I have never yet found a printer who was willing to tell what it means, and I am forced to the conclusion that even such do not know. I have discussed this law, and some of its peculiar expressions and provisions, which are not intelligible to the ordinary mind, with many different practical printers, and all agree that it is unnecessarily obscure and difficult to understand or construe. I refuse to believe that the printing business is of so mysterious a char-

acter that its operations cannot be described in simple, intelligible terms, such as any one of ordinary understanding and intelligence may comprehend. I commend this matter to your careful consideration and urge upon you the enactment of a law couched in such direct, plain and intelligible terms, that a man, representing the state in making a contract under it, may know what a given amount of work—for instance, printing, binding and delivering a book of a given size of page, quality of paper, kind of type and style of binding—should cost under such contract, and the interests of the state be properly protected.

### **GUARANTEE OF BANK DEPOSITS**

I recommend and urge the enactment of a well considered, carefully prepared bank deposit guarantee law, by which depositors may be made safe beyond peradventure in depositing their money in banks chartered by the state. The system has been in operation now for several years in Kansas and Oklahoma, long enough to fully test its effect in operation, and it is giving satisfaction to the people. Relative to this, Honorable J. M. Dolly, Superintendent of Banks of Kansas, writes in a recent letter:

“I do not \* \* \* have any special recommendations to make in connection with the improvement of this law. On the whole, we consider it a very good law and one of the best laws in the United States.”

Under date of December 9, 1912, Honorable J. D. Lankford, Bank Commissioner of Oklahoma, wrote:

“Our bank guaranty law has proven very effective in our state; as not a single depositor has ever lost one penny in our state banks since this law has been in operation.”

He adds that the law is somewhat expensive to the bankers, but that proposed amendments are likely to be adopted which will remedy that objection.

Many of the bankers of this state seem opposed to such a measure. I am inclined to believe that their objections are well taken to some of the proposed measures, but I believe a law can be drawn eliminating every objectionable feature. I am perfectly clear on the proposition that the law should be passed. I do not want to suggest details, but by getting together in a spirit of fair-



ness and good faith, such a measure can be framed and will accomplish the purpose of perfectly protecting depositors without doing injustice to any one. Possibly provision might be made for organization of self selecting, voluntary groups of banks, and as an alternative to entering any guaranty association, banks might be permitted to give satisfactory individual security for deposits. The state chartering these banks and sending them forth with its prestige behind them, should go further and require absolute protection to those who entrust their money to them, when it can be done so easily. Statistics show that in the aggregate, and compared to the total volume of business, the amount lost in bank failures is slight; yet at the same time individual failures often cause widespread and devastating loss, and sometimes bitter suffering. Where fairly tried this system has proven a success and there is no prospect of it being abandoned in such places.

#### **REGULATION OF INVESTMENT COMPANIES**

There is widespread demand for a law to protect the public from imposition through the sale of worthless stocks, of companies of questionable standing, and the promotion of schemes ranging from the visionary and impractical to the downright fraudulent. Schemes of the most visionary and impractical kind, skillfully advertised by enthusiastic promoters, are made to look like safe, sure and very profitable investments and the public induced to buy in that belief, when if all the facts were known in regard to organization, amount of nominal capital, number of shares issued or to be issued, amount of indebtedness, character and value of assets, or whether there are any assets at all, no sale could be made. South Dakota, because of the general prosperity prevailing among all classes of its people, has been a generous contributor to this class of schemes and promotions. There should be strict regulation and control of the promotion of schemes, and investments that are put on general sale to the public. There need be no interference with sales of shares in legitimate enterprises, and, indeed, it is not so important to really prohibit any sales as to provide that none shall be made on false pretense, and none offered until after a full and fair showing of all the facts and circumstances relating to the value of what is offered.

Before stocks, shares or similar investments are offered to the public, the promoters should be required to make such an exhibit of all the facts and circumstances as will show exactly what they have, and then, if they are permitted to proceed, the prospectuses and advertisements should be so censored and regulated as to show only the real facts, stripped of all alluring exaggeration. The state of Kansas has had such a law in operation for some time, and it is reported to have worked well and satisfactorily. The platform of the dominant party in this state in the recent campaign, favored such a measure, and I recommend the prompt enactment of a well considered, carefully drawn law covering this subject.

There should be change and improvement in our laws providing for the organization of corporations, especially as to corporations which are actually foreign, though nominally domestic, being organized under our laws, regarding the number of stockholders, directors and officers required to reside in the state; what shall constitute a sufficient head office here in the state of its legal domicile; what records shall be kept in such office, and what reports made to the state, and a general revision and improvement of our corporation laws for the protection of the public and investors in the shares of such corporations.

#### **INSURANCE**

Complaint has been made by the members and managers of farmers' mutual insurance companies that the law, as it now stands, bears heavily and unfairly upon them in the matter of payment of fees for licenses of agents, examinations, etc. I believe the trouble lies chiefly in the fact that the law intended to regulate and control regular insurance companies is applied to these small organizations, no distinction being made in the statutes. It is apparent that these township and county mutual insurance companies, where practically each member is known to every other, and which are not organized primarily for profit, do not require exactly the same class of regulation as insurance companies covering large areas and doing business for profit. This matter needs careful attention. The law should place these organizations in a class by themselves, differentiating between them and the regular insurance

companies, and providing such regulation as may be deemed necessary for this particular class.

Our laws relating to life insurance, including policy forms, protection of the policy holder by standardization of policy provisions, and the solvency of companies permitted to write life insurance in the state, are generally very good, but there seems to be a serious defect in regard to regulating the organization of stock life insurance companies, and protecting investors, and, to some extent, policy holders, from imposition and fraud. A law should be enacted strictly regulating the sale of stock of such companies, and limiting the amount that may be absorbed in commissions or for promotion purposes, and absolutely prohibiting officers, directors, stock holders or other insiders from organizing any pool, association, combination or corporation for the purpose of exploiting the company or making profits, directly or indirectly, out of the sale of its stock, and prohibiting such officers, directors or stock holders from receiving any benefit whatever from the business of the company, except such legitimate and open compensation as they receive for their services, or as might come to them as holders of its policies, in common with all other of its patrons.

### IMPROVEMENT OF ROADS

The question of securing uniformly good country roads is receiving increased attention from all classes of people. It is of great importance, especially to the farming population to whom roads are an absolute necessity and of value according to fitness for safe and comfortable travel and hauling at all times. In all forms of construction it is the best economy to build on broad, permanent lines, so that the work done today will answer not only for the present but indefinitely. This rule applies with especial force to road making. If a road is laid out or planned with regard for all the conditions of topography, soil, drainage, grade and every element entering into the problem; the graded roadway of proper width and of such shape as to admit of travel on any part of it; with such arrangement for drainage as will carry off the surplus water so far as possible, and all other questions relating to the matter intelligently considered, work done today on such a plan,

is of permanent and lasting value, and work done in the future, for improvement or repair may be based on and added to that already done, instead of the requirement being to first undo what has already been done, as would be the case where the first work was of a poor and temporary character. It should ever be borne in mind that the first and most important use of the country road is for the farm population for general travel and moving various forms of produce to, and supplies from, market. Consider the advantage to the farmers of the state of having roads over which, regardless of weather conditions, and at all seasons, heavy loads could be hauled with certainty and security. With us, it may be said, generally, that our natural roads are fairly good part of the time, and that parts of them are fairly good all the time. But there are times when, while parts of a road are fairly good, other parts range from indifferently bad to impassable. Every farmer has had experience in hauling his crops to market, when, over the good parts of the road, his load is insignificant and but a fraction of what his team and equipment could move, and, over the bad parts, it is only with extreme difficulty he can get through. I ask the farmers of the state to consider what advantage and profit, in money value, it would be to us to have roads over all parts of which a maximum load could be moved all the time.

The burden of road building should not all be laid on the local communities, but should be distributed between the locality, the county and the state, and I hope the time may soon come when the nation will contribute also under some conditions. I shall not attempt to outline any plan in detail, but urge you to give the matter your serious consideration, with a view to improvement in our road laws on such comprehensive lines as may enable us to build permanently good roads in all sections of the state.

### **FARMERS' INSTITUTES**

You should make liberal appropriations for continuing and extending the work of the Farmers' Institutes. These institutes are of great value and may be made increasingly so. With a view to economy and increased efficiency this work should be conducted in co-operation with the proposed Agricultural Education extension work in connection with the College of Agriculture and Me-

chanic Arts. Provision should be made for so-called short courses or schools of instruction in improved methods of farm operation in the different localities, and such extension of the work as may seem advisable.

### **STATE FAIR**

Our State Fair is annually growing in size and importance and has come to be looked upon as one of the important fairs of the Northwest. It is efficiently and economically managed, and furnishes an instructive and valuable exhibition, which is of distinct educational value, especially to the farming interests of the state. It should receive such support and encouragement as will provide for expansion and growth, and enable the Board to safely make such arrangements and offer such premiums as will attract the best class of exhibitors.

### **PANAMA-PACIFIC EXPOSITION**

The opening and commercial use of the Panama Canal is to be celebrated by an exposition, to be held at San Francisco, California, during the year Nineteen Hundred Fifteen, to be known as the Panama-Pacific International Exposition. Most of the states will be represented there, and many, no doubt, will have suitable buildings on the exposition grounds. It is desirable and fitting that South Dakota and its people be represented at this celebration of so important an event in our country's history, and it would afford an excellent opportunity for exhibition of the state's resources, attractions and advantages, where so many, not only from the different states of the Union, but from the various countries of the world, will assemble. If you deem it advisable that the state should be represented there, you should provide for the appointment of a suitable commission, and make such appropriation as you may deem necessary and proper. The members of such a commission should serve without pay and be allowed their actual and necessary expenses while acting for the state, and provision should be made to carefully safeguard the expenditure of such money as may be appropriated and used for such exhibition, and for proper reports of all expenditures.



## THE LIQUOR TRAFFIC

The need for strict regulation and control of the sale of intoxicating liquors, is now recognized and acknowledged by all, differences of opinion being confined chiefly to the merits of different methods. The law passed by the last legislature requiring liquor saloons to be closed from nine o'clock p. m. to six o'clock a. m. has worked well and, so far as I am informed, has generally been observed and obeyed. It is a wise provision. Forbidding the sale of liquor late at night, it eliminates some of the worst features of the traffic. Some of the more objectionable features of this business would be removed by limiting the number of saloons in a given town or area according to population. I suggest the enactment of a law limiting the number of saloons to not more than one in a town of one thousand or less, and not more than one additional for each additional thousand of population. Some of the liquor dealers, themselves, have expressed approval of this plan and there should not be much opposition to such a measure.

Breweries and wholesale houses should not be allowed to own, have an interest in or control saloons or places where liquor is sold at retail. The local man, owning his own business, and having his interests localized in the community is bound to be more regardful of the law and rules of decency than a brewery company having large interests elsewhere to which the local saloon is an incident. I recommend the enactment of a law prohibiting any brewery company, or officer, director, stockholder or agent of such, from owning any interest in any retail liquor saloon, or loaning or advancing any money or thing of value, except goods sold in the regular course of trade to any retail liquor dealer.

## DOUBLE DAMAGE ACTS

I call your attention to the recommendation of the Attorney General in regard to Chapters 215 and 218 of the Laws of 1907, commonly known as the Double Damage Acts, which have been held to be unconstitutional by the Supreme Court, and endorse his recommendation that each of these be re-enacted, with such changes as will remedy the defects and meet the objections of the Court. This is important and should not be overlooked.

## CHARGES OF VETERINARIANS

My attention has frequently been called during the past few years to alleged overcharges on the part of deputy state veterinarians. Some of these charges as reported seem to be outrageous and inexcusable. I have never gone into the matter far enough to determine just where the fault lies, but the law should be amended so as to make the recurrence of such charges as reported impossible.

## REVISION OF THE CONSTITUTION

There is very general feeling and belief that the time is fast approaching, if not now here, when there should be general revision of our state constitution, and that the requirements and limitations of our present constitution do not meet the demands of the people today for such governmental activities as they deem essential to their highest welfare. At practically every legislative session amendments are proposed, and several will be offered at this session. It is now nearly a quarter of a century since the constitution was prepared and adopted, and conditions have, of course, changed in that time.

I commend to you the consideration of the question of whether or not the time has arrived to submit to the people the question as to whether or not a convention shall be called to revise the constitution.

## OIL INSPECTION

It is claimed by some who have closely watched the operation and result of our method of inspecting kerosene and gasoline, that it is unnecessarily expensive, and that as good, or better, results might be obtained by placing it in charge of the Food and Drug Commissioner, and the expense thereby very much lessened. It is important that these oils be efficiently inspected for the protection of the public, and the saving of a little money should not be allowed to interfere with efficiency. At the same time if the inspection can be done as well, or better, by making the change, and expense saved to the state, the change should be made, for it is important to establish and keep to the principle that no public money should be expended except what is absolutely needed for good and efficient public service. I am inclined to believe that

this change can be made without injuring the service and at a considerable saving of expense. I commend this to your careful consideration.

### CONCLUSION

In addition to the foregoing, which I have herein presented as matters of special importance, are many others you will be called on to consider.

I recommend an appropriation for the State Engineer to proceed with the hydrographic survey and investigation of the streams and sources of water supply of the state. Several of the streams, flowing into the Missouri river from the west, drain extensive areas and the volume of flood water is enormous. If such flood waters were impounded and conserved many thousands of acres could be irrigated and made extremely productive. The approximate available water supply should be determined, as well as the cost of rendering part or all of it available, that the waste of this valuable asset of the state be not indefinitely continued.

Adequate appropriation should be made for the Militia and our law brought into harmony with the National laws, and the rules of the War Department, governing the National Guard.

Arrangements are being made, on an extensive scale, for a celebration at Gettysburg, Pennsylvania, of the Fiftieth Anniversary of the Battle of Gettysburg. The legislature, at the last session, provided for the appointment of the Civil War Veterans residing in the state as delegates to such celebration, and Hon. N. H. Kingman, of Selby, was appointed as Commissioner to take charge of locating and enrolling the veterans residing in the state who participated, on either side, in said battle.

You will be asked to make an appropriation for the traveling expenses of such veterans as may take advantage of the opportunity thus afforded to participate in the celebration of the Fiftieth Anniversary of this historic battle. I recommend that a reasonable appropriation be made for this purpose, with proper safeguards as to expenditures and accounting.

The Department of History, especially the Legislative Reference Division, is ready to assist you in investigation, securing information and in other ways, and you can make its service a great

help to you, as well as that of each of the State Officers and Departments.

I wish for you a pleasant and satisfactory session, that all may work together in harmony and mutual helpfulness, and that your service here may redound to the welfare of the state and your own honor and credit.











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